

PTO/SB/84 (09-04)
 Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
 UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
 18880-004300 (SEDN/310)

First named inventor: Donald F. Gordon

Application No.: 09/740,735

Art Unit: 2126

Filed: December 18, 2000

Examiner: Courtenay III, St John

Title: METHOD AND APPARATUS FOR PROVIDING INTERACTIVE PROGRAM GUIDE (IPG) AND
 VIDEO-ON-DEMAN (VOD) USER INTERFACE

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact
 Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
 the form of Amendment Under 37 C.F.R. 1.111 (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/64 (09-04)

Approved for use 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.E J Wall

Signature

Eamon J. Wall

Typed or printed name

3/1/05

Date

39,414

Registration Number, if applicable

Moser, Patterson & Sheridan, LLP

Address

732-530-9404

Telephone Number

595 Shrewsbury Ave., Suite 100, Shrewsbury, NJ 07702

Address

Enclosures: ☒ Fee Payment☒ Reply (Amendment Under 37 C.F.R. 1.111)☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☒ Other : Transmittal

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.3/1/05

Date

Laura E. Carter

Signature

LAURA E. CARTER

Typed or printed name of person signing certificate

[Page 2 of 2]

Serial No.: 09/740,735

19880-004300 (SEDN/310)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 01 2005

In re Application of: Donald F. Gordon

Serial No.: 09/740,735

Confirmation No.: 4189

Filed: December 18, 2000

For: METHOD AND APPARATUS FOR
PROVIDING INTERACTIVE
PROGRAM GUIDE (IPG) AND
VIDEO-ON-DEMAN (VOD)
USER INTERFACE§
§
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Group Art Unit: 2126

Examiner: Courtenay III, St John

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on the date indicated below.	
Date <u>3/1/05</u>	<u>Laura E. Crater</u> Linda LaForge

Laura E. Crater

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

STATEMENT ESTABLISHING UNINTENTIONAL DELAY IN SUPPORT OF PETITION
TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

This Statement is filed to support the Applicant's 37 C.F.R. 1.137(b) Petition (PTO/SB/64 submitted herewith) to revive the above-referenced patent application. The Applicant has not received a Notice of Abandonment in connection with this application. Nevertheless, the Applicant believes that the application has become abandoned, and that the Petition is necessary in order to proceed with prosecution of the above application.

Serial No.: 09/740,735

19880-004300 (SEDN/310)

The Petition is filed within twelve months of the believed date of abandonment. Authorization to charge applicant's deposit account number in the amount of \$1,500.00 is included in the Applicant's Petition.

In support of the Petition, the Applicant states:

The above-referenced Patent Application was filed with the Patent Office on December 18, 2000.

A request for entry of Power of Attorney/change of correspondence address, remailing of office action and vacating of abandonment was filed on January 18, 2005.

Accordingly, the entire delay in filing the required response to the Advisory Action from the due date for the response to the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Respectfully submitted,



Eamon J. Wall
Registration No. 39,414
MOSER, PATTERSON & SHERIDAN, L.L.P.
595 Shrewsbury Ave., Suite 100
Shrewsbury, NJ 07702-4185
Telephone: (732) 530-9404
Facsimile: (732) 530-9808

Attorneys for Applicant